HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition No. 1900 of 2001

Petitioner : Ravi Chandra Saxena, S/o Late S.B. Saxena, Aged 64 years, Retired as Professor (Commerce), C.M.D. College, Bilaspur, R/o Vinoba Nagar, Near Gaitri Mandir, Bilaspur (C.G.).

Versus

Respondents :1. State of Chhattisgarh, Through Secretary, Department of Higher Education, Mantralaya, Raipur (C.G.).

2. Commissioner, Higher Education, Raipur (C.G.).

3. Governing Body/Managing Committee, C.M.D. College, Bilaspur.

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri

Shri Ashish Shrivastava, counsel for the Petitioner.
Shri Alok Bakshi, Government Advocate for the respondent No. 1/State.
None for the respondents No. 2 and 3.

ORAL ORDER

(31st January, 2006)

1. Learned counsel for the petitioner submits that the petitioner, who retired as Professor (Commerce) from C.M.D. College, Bilaspur, has filed this petition praying that the petitioner is entitled to leave encashment benefit equivalent to 79 days of earned leave. He has further prayed for interest on the said amount. The petitioner has further prayed for quashing of the impugned letter dated 13.7.2000 (Annexure P-2).

2. The petitioner has appended the Circular dated 9th July, 1985 (Annexure P-3), wherein it is clearly provided that the teachers and

other employees of Government aided institutions are entitled to the same benefits of house rent allowance, leave encashment and pay as the teachers and employees of the Government Institutions. Learned counsel appearing for the respondents have no information about these circulars.

3. In the present case, notice was issued on 1.5.2002, the respondents have failed to file reply till date. In the matter prima-facie, it appears that the petitioner is governed by circular dated 9.7.1985 (Annexure P-3).

4. In view of afore stated facts, the respondents are directed to consider the representation of the petitioner and pass appropriate order in accordance with law within a period of four weeks from the date of receipt of the representation, if any, made by the petitioner.

5. The writ petition, accordingly, stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

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